



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd

Docket No: 01186-00

17 July 2000

MR [REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 2 May 2000, a copy of which is attached. The Board also considered your letter dated 22 June 2000.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Since the Board found insufficient basis to remove your failures by the Fiscal Year 99 and 00 Naval Reserve Line Lieutenant Commander Selection Boards, they had no grounds to set aside your discharge from the Naval Reserve on 1 April 2000. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

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PERS-86
02 MAY 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST ICO LT [REDACTED] USNR, [REDACTED]

Encl: (1) BCNR File 01186-00 w/Service Record

1. We are returning enclosure (1) with the following observations and recommendations.
2. LT [REDACTED] request the removal of two failures of select on the basis that the selection board did not have complete information when the record was reviewed.
3. The FY-99 and FY-00 Naval Reserve Lieutenant Commander Line Promotion Selection Boards properly considered [REDACTED] for promotion. Neither board selected him. Specific reasons for the failures of select are not available because selection board proceedings are sensitive in nature and records of deliberations are not kept. [REDACTED] was not affiliated with a reserve unit and was not participating in his field. There were no current reports of fitness, or other current documentation in the record to indicate his career plans. [REDACTED] states in a document he provided that he has not been able to participate in reserve duty. [REDACTED] does not provide any explanation as to why he failed to request transfer to the Inactive Status List (S-2), or other action which may have explained his situation to the selection board. It is our opinion that in the absence of such information the record simply was not competitive enough when considered within the numerical constraints placed on the boards.

Subj: REQUEST ICO [REDACTED], USNR, [REDACTED]

Special selection boards are not authorized when the officer, exercising due diligence, may have been able to provide the promotion selection board with sufficient information to affect the outcome of the board. [REDACTED] has failed to show this. We find no basis on which to recommend approval of his request.

[REDACTED]

Director, Reserve Officer
Promotions, Appointments, and
Enlisted Advancement Division